

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejection set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks.

Claims 1-5, 7, 8, and 10-13 remain pending in the application, with claim 1 being the only independent claim. Claim 1 has been amended. Support for the amendment can be found throughout the originally-filed disclosure. Accordingly, Applicants submit that the amendments do not include new matter.

Claims 1-5, 7, 8, and 10-13 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Block et al. (U.S. Patent Application Pub. No. 2003/0055689) in view of Henry (U.S. Patent Application Pub. No. 2009/0074168).

Applicants respectfully traverse the rejections. Nevertheless, without conceding the propriety of the rejections and solely to expedite prosecution, Applicants have amended independent claim 1 to clarify distinctions between the cited references and the claimed invention. To this amend, Applicants submit amended independent claim 1 is patentably distinguishable from the cited references for at least the following reasons.

Amended independent claim 1 recites a consumer travel integration method that comprises, inter alia, presenting a travel change request to a travel counselor, the travel change request being presented from the travel directly to the travel counselor.

The Office Action cites Block et al. as disclosing a method comprising some of the features of the claimed invention. The Office Action acknowledges, however, that Block et al. does not disclose receiving a travel booking for a travel plan from a travel counselor at a travel counselor office by a first travel channel, as is recited in independent claim 1.

Applicants agree that Block et al. does not disclose receiving a travel booking for a travel plan from a travel counselor at a travel counselor office by a first travel channel. In fact, Applicants submit that Block et al. teaches away from the features of the claimed method relating to first and second travel counselors. The first identified “object of the invention” in Block et al. is to enable “travelers to rapidly and interactively communicate via the Internet or other networks with desired websites or other devices for making all necessary travel arrangements for a desired trip.” Paragraph 0004 (emphasis added). Further, Block et al. details how the website of the system interactively provides the member with means “for facilitating whatever travel arrangements the member wishes to make.” Paragraph 0010. Such disclosures of Block et al. are clearly not indicative of a method that involves customer and travel agent interaction, as in the claimed invention.

The Office Action notes that Block et al. mentions travel agents at paragraph 0003 of the reference. Applicants submit, however, that this reference is merely part of the background of the reference, and not meant to be in any taken as suggestive of features of the disclosed system. Notably in this regard, the very next paragraph 0004, as discussed above, discloses an object of the disclosed system is to allow the traveler himself or herself to make all necessary travel arrangement, thereby teaching away from the idea of integrating travel agents with the system.

Thus, Applicants submit that Block et al. fails to disclose or suggest a method that includes, among other things, “presenting a travel change request to a second travel counselor, either the same as or different from [a] first travel counselor, the travel change request being presented from the traveler directly to the second travel counselor,” as recited in amended independent claim 1.

Applicants further submit that Henry fails to cure the deficiencies of Block et al. The Office Action cites Henry as disclosing a concierge provider that can retrieve a subscriber's reservation details and make changes to the reservation.

Applicants submit, however, that the concierge provider service of Henry does not itself include travel agents. In the system of Henry, "fulfillment agents" fill requests for the concierge services received by "operators." See, e.g., paragraph 0067. Neither the operators nor the fulfillment agents are travel agents, as Henry makes clear by disclosing that the fulfillment agents work *with* travel agents to fill the requests. Paragraph 0072. Henry, in essence, provides a "middleman" in the form of the concierge service operators and fulfillment agents to effect the services offered by the system. Such a teaching cannot be understood to suggest "presenting a travel change request to a second travel counselor, either the same as or different from [a] first travel counselor, the travel change request being presented from the traveler directly to the second travel counselor," as recited in amended independent claim 1.

Moreover, as discussed above, the Block et al. reference itself teaches away from the features of the claimed method relating to travel counselors. Thus, Applicants submit that the motivation asserted in the Office Action for the combining the disclosure of Henry with Block et al. is incorrect. One of ordinary skill in the art would not find it obvious to incorporate the concierge service of Henry with the system of Block et al., given that Block et al.'s primary object is to provide a system in which the traveler by himself or herself can make "all necessary travel arrangements for a desired trip."

Thus, for at least the foregoing reasons, Applicants submit that the invention recited in amended independent claim 1 includes a combination of features that would not have been

obvious to one of ordinary skill in the art in view, even in view of the disclosures of Block et al. and Henry.

The dependent claims also should be deemed allowable, in their own right, for defining other patentable features of the invention in addition to those recited in independent claim 1. Further individual consideration of the dependent claims is requested.

Applicants respectfully submit that all outstanding matters in this application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application is respectfully sought.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in the Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to the below listed address.

Respectfully submitted,

/Donald H. Heckenberg, Jr./

Donald H. Heckenberg Jr.
Attorney for Applicants
Registration No. 60,081

FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Facsimile: (212) 218-2200
DHH/SKY:ntb

FCHS_WS 4397070v1